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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/889,889	07/08/1997	PATRICK J. SULLIVAN	063074.0104	4013

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EXAMINER

RAO, ANAND SHASHIKANT

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 11/07/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

08/889,889

Applicant(s)

SULLIVAN ET AL.

Examiner

Andy S. Rao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

*(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or*

*(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.*

2. Claims 1-3, 9-13, 15-24, 26-32, and 34-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Schwab, (US Patent: 5,973,731 hereinafter referred to as “Schwab”).

Schwab discloses a video system (Schwab: figure 2), comprising: a client (Schwab: figure 2, element 102) operable to generate data associated with at least (Schwab: column 7, lines 8-15) one financial transaction (Schwab: column 7, lines 22-25), the client operable to transmit the data and video using a communications networks; and (Schwab: column 4, lines 23-28; Schwab: figure 2, element 104; column 4, lines 20-27- “Schwab discloses a database record, which serves as the claimed digital file for storing an item with an associated image”); and a server (Schwab: figure 2, element 40) coupled to the client using a communications network (Schwab: figure 2, element 50), the server operable to receive the data and the video from the client and to display the video data in real time (Schwab: column 6, lines 44-67; column 7, lines 1-19); the server operable to store the digital file in a first database (Schwab: column 7, lines 1-

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59: "...discloses that the data file and the image file may be combined into a single database which would be a composite database record similar to the claimed single digital file for storing a data file and an associated image file..."); the server having a graphical interface operable to retrieve data and video from the digital file stored in the first database for presentation (Schwab: column 4, lines 19-25); and wherein the data and the video are transmitted between the client and the server using a single communication path (Schwab: figure 2, element 114; column 7, lines 13-20), as in claims 1 and 22.

Regarding claim 2 and 23, Schwab discloses that wherein the client comprises a point-of-sale device and the financial transaction comprises the sale of an item Schwab (Schwab: column 7, lines 8-12: "retail operation"), as in the claim.

Regarding claim 3 and 24, Schwab discloses that the client comprises an automated teller machine and the financial transaction comprises a cash withdrawal (Schwab: column 7, lines 8-12: "account deposit or withdrawal"), as in the claim.

Regarding claim 5 and 26, Schwab disclose that the digital file comprises a single multimedia digital file (Schwab: column 7, lines 1-59: discloses that the data file and the image file are combined into a single database such as a composite database record), as in the claims.

Regarding claims 6-8 and 26-30, Schwab discloses present data from a plurality of financial transactions, as in the claims (Schwab: column 7, lines 1-20), as in the claims.,,,,,,

Regarding claims 9-10, Schwab discloses that the server displays the appropriate video window, (Schwab: column 6, lines 5, lines 55-60), as in the claims. (Schwab: column 7 lines 1-20; column 8, lines 1-5), as in the claims.

Schwab discloses a video method (Schwab: figure 2), comprising: (Schwab: figure 2, element 102) generating data associated with a (Schwab: column 7, lines 8-15) one financial transaction (Schwab: column 7, lines 22-25), generating video associated with the financial transaction (Schwab: column 4, lines 23-28; Schwab: figure 2, element 104; column 4, lines 20-27- “Schwab discloses a database record, which serves as the claimed digital file for storing an item with an associated image”); transmitting data and video at a server using a communications network (Schwab: figure 2, element 50), the server operable to receive the data and the video from the client and to display the video data in real time (Schwab: column 6, lines 44-67; column 7, lines 1-19); presenting data and video on a display at the server (Schwab: figure 2, element 114; column 7, lines 13-20), as in claims 11 and 33 .

Regarding claim 12 and 34, Schwab discloses that wherein the client comprises a point-of-sale device and the financial transaction comprises the sale of an item Schwab (Schwab: column 7, lines 8-12: “retail operation”), as in the claims.

Regarding claim 13, 15, and 35, Schwab discloses that the client comprises an automated teller machine and the financial transaction comprises a cash withdrawal (Schwab: column 7, lines 8-12: “account deposit or withdrawal”), as in the claims.

Regarding claim 37, Schwab presenting data in a data window as a representation of a financial transaction (Schwab: column 7, lines 1-59: discloses that the data file and the image file are combined into a single database such as a composite database record), as in the claim.

Regarding claims 16-19 and 38-42, Schwab discloses present data from a plurality of financial transactions, as in the claims (Schwab: column 7, lines 1-20), as in the claims

Regarding claims 20-21, Schwab discloses that the server displays the appropriate video window, (Schwab: column 6, lines 5, lines 55-60), as in the claims. (Schwab: column 7 lines 1-20; column 8, lines 1-5), as in the claims.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 14, 25 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwab in view of Ishida et al., (US Patent: 5,585,839 hereinafter referred to as "Ishida").

Schwab discloses a video system (Schwab: figure 2), comprising: a client (Schwab: figure 2, element 102) operable to generate data associated with at least (Schwab: column 7, lines 8-15) one financial transaction (Schwab: column 7, lines 22-25), the client operable to transmit the data and video using a communications networks; and (Schwab: column 4, lines 23-

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28; Schwab: figure 2, element 104; column 4, lines 20-27- “Schwab discloses a database record, which serves as the claimed digital file for storing an item with an associated image”); and a server (Schwab: figure 2, element 40) coupled to the client using a communications network (Schwab: figure 2, element 50), the server operable to receive the data and the video from the client and to display the video data in real time (Schwab: column 6, lines 44-67; column 7, lines 1-19); the server operable to store the digital file in a first database (Schwab: column 7, lines 1-59: “...discloses that the data file and the image file may be combined into a single database which would be a composite database record similar to the claimed single digital file for storing a data file and an associated image file...”); the server having a graphical interface operable to retrieve data and video from the digital file stored in the first database for presentation (Schwab: column 4, lines 19-25); and wherein the data and the video are transmitted between the client and the server using a single communication path (Schwab: figure 2, element 114; column 7, lines 13-20), as in claims 4 and 25, but fails specifically disclose the use audio by means of a microphone, and speaker. Ishida discloses generating audio files along with video files in a remote monitoring apparatus in order to communicate verbally to a terminal user (Ishida: column 6, lines 1-30) during the execution of a financial transaction (Ishida: column 5, lines 50-55). Accordingly, given this teaching it would have obvious for one of ordinary skill in the art to incorporate Ishida’s generating of audio files along with the associated video files in order to allow for the terminal user of a remote client in Schwab to communicate verbally with the server while conducting a financial transaction. The Schwab apparatus, now incorporating the use of Ishida’s audio generation, has all of the features of claims 4 and 22 but fails to explicitly teach the limitation of “wherein, the graphical interface at the server presents data as an entry in a table

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having a plurality of entries associated with a plurality of financial transactions; and the graphical interface at the server presents video in response to a selection of the entry in the table” as claimed. However, the above technical features are well known and used in the art as evidenced in Ishida, which teaches a transaction menu and graphical user interfaces such as a touch screen (Ishida: column 15, lines 36-46) that allows a user to conduct menu selection during an ATM transaction (Ishida: column 5, lines 50-55; column 13, lines 56 –67; col. 14, lines 1-10), and a means to conduct two-way video conferences with a remote center station (Ishida: column 6, lines 40-50) in order to conduct a financial transaction via menu selection from a user interface especially suitable during an ATM financial transactions (Ishida: column 30, lines 50-60). It would have been obvious to modify Schwab in view of Ishida to include the graphical interface at the server to present data as an entry in a table having a plurality of entries associated with a plurality of financial transactions; and the graphical interface at the server presents video in response to a selection of the entry in the table as claimed in order to so would a user to conduct a financial transaction via menu selection from a user interface especially suitable during an ATM financial transaction. The Schwab system, now modified by the Ishida graphic user interface, has all of the features of claims 4 and 25.

Schwab discloses a video method (Schwab: figure 2), comprising: (Schwab: figure 2, element 102) generating data associated with a (Schwab: column 7, lines 8-15) one financial transaction (Schwab: column 7, lines 22-25), generating video associated with the financial transaction (Schwab: column 4, lines 23-28; Schwab: figure 2, element 104; column 4, lines 20-27- “Schwab discloses a database record, which serves as the claimed digital file for storing an item with an associated image”); transmitting data and video at a server using a communications network



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(Schwab: figure 2, element 50), the server operable to receive the data and the video from the client and to display the video data in real time (Schwab: column 6, lines 44-67; column 7, lines 1-19); presenting data and video on a display at the server (Schwab: figure 2, element 114; column 7, lines 13-20), as in claims 11 and 36, but fails specifically disclose the use audio by means of a microphone, and speaker. Ishida discloses generating audio files along with video files in a remote monitoring apparatus in order to communicate verbally to a terminal user (Ishida: column 6, lines 1-30) during the execution of a financial transaction (Ishida: column 5, lines 50-55). Accordingly, given this teaching it would have obvious for one of ordinary skill in the art to incorporate Ishida's generating of audio files along with the associated video files in order to allow for the terminal user of a remote client in Schwab to communicate verbally with the server while conducting a financial transaction. The Schwab method, now incorporating the use of Ishida's audio generation, has all of the features of claim 14 and 36.

### *Conclusion*

5 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (703)-305-4813. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S. Kelley can be reached on (703)-305-4856. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-4700.

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Andy S. Rao  
Primary Examiner  
Art Unit 2613

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October 31, 2003

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